

1 BILL NO. Z-82-07-03

2 ZONING MAP ORDINANCE NO. Z-20-82

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. N-11.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is
8 hereby designated a B-1-B (Limited Business) District under
9 the terms of Chapter 33 of the Municipal Code of the City of
10 Fort Wayne, Indiana of 1974:

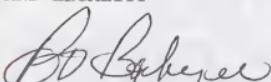
11 Lot #3 Avondale Addition

12 and the symbols of the City of Fort Wayne Zoning Map No. N-11,
13 as established by Section 11 of Chapter 33 of the Municipal Code
14 of the City of Fort Wayne, Indiana of 1974, are hereby changed
15 accordingly.

16 SECTION 2. That this Ordinance shall be in full force
17 and effect from and after its passage, any and all necessary
18 approval by the Mayor and the legal publication thereof.

19
20 
21 Councilmember

22 APPROVED AS TO FORM
23 AND LEGALITY

24 
25 Bruce O. Boxberger, City Attorney

31

32

Read the first time in full and on motion by Stier,
seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on 19, the day of January, at o'clock .M., E.S.T.

DATE: 7-13-82


CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Stier,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (Lost) by the following vote:

TOTAL VOTES	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>10</u>	<u>9</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHRUGGS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>X</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

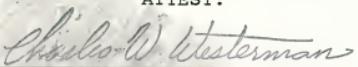
DATE: 12-28-82

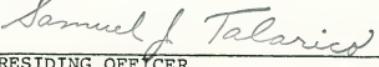

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 3-20-82
on the 28th day of December, 1982.

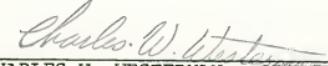
ATTEST:

(SEAL)

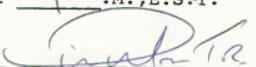

CHARLES W. WESTERMAN - CITY CLERK


SAMUEL J. TALARICO
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 29th day of December, 1982, at the hour of
11:30 o'clock A.M., E.S.T.


CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 30 day of January
1983, at the hour of 12:30 o'clock P.M., E.S.T.


WIN MOSES, JR. - MAYOR

~~Held~~ ~~Approved~~
Dec. 21
~~12/21~~
~~12/21~~

BILL NO. Z-82-07-03

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. N-11

[A large area of the document is blank, consisting of approximately 10 horizontal lines.]

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN A. EISBART, CHAIRMAN

Ben A. Eisbart

JANET G. BRADBURY, VICE CHAIRMAN

Janet G. Bradbury

PAUL M. BURNS

Paul M. Burns

VICTURE L. SCRUGGS

Victure Scruggs

ROY J. SCHOMBURG

Roy Schomburg

12-28-82
DATE CONCURRED IN
CHARLES W. WESTONMAN, CITY CLERK

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No. 7278

FT. WAYNE, IND.

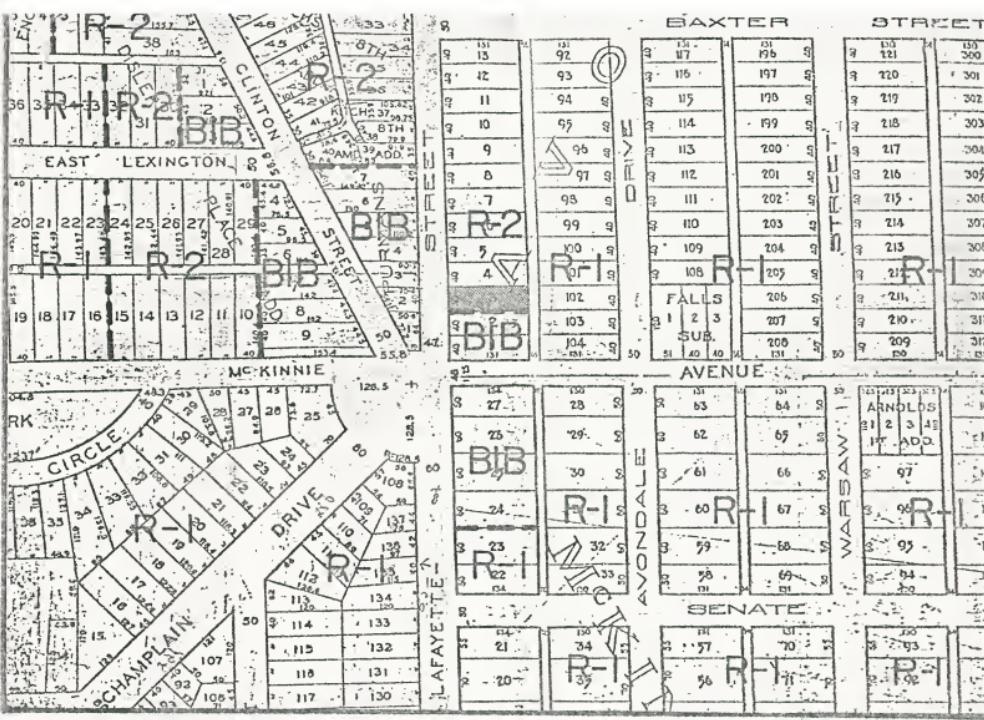
RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

Check
682

June 9 1962
Don's BarberShop \$ 50.00
Fifty Dollars 100 DOLLARS
4219 S. Lafayette DR-2 to B.B.
Re zoning Kim Brownmatt
AUTHORIZED SIGNATURE



REQUEST TO CHANGE FROM R-2
TO BIB ZONING

MAP NO. N-11

BY WILLIAM H. NESBITT 6-9-82

N

Z-82-07-03

THIS IS TO BE FILED IN DUPLICATE

RECEIPT NO. _____
DATE FILED _____
INTENDED USE _____

I/We DON GERBER (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-2 District to a/an B-1-B District the property described as follows:

(Legal Description) If additional space is needed, use reverse side.

LOT # 3 AVONDALE ADDITION

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

X LEO NEUmann - 4219 S. Lafayette X L. Neumann
X By R J Garrison
X May 27, 1982 Power of att
(Name) (Address) (Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

C 21 BRADLEY INC,
KEN FULLING
(Name)

6718 E. State
(Address & Zip Code)

493-3511
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 13, 1982, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-82-07-03; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 16, 1982;

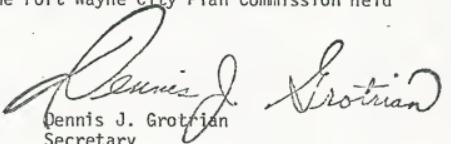
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute and unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 23, 1982.

Certified and signed this
24th day of August 1982.


Dennis J. Grotjan
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 August 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 23, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-82-07-03
2. From: R-2 to B-1-B
3. Intended Use: Barber Shop and Rental Property
4. Plan Commission Recommendation: DO PASS

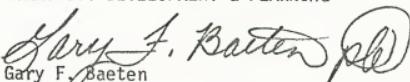
This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-82-07-03

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lot #3 Avondale Addition

EFFECT OF PASSAGE Property is now zoned R-2 - Two Family Residential.

Property will become B-1-B - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-2 -- Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)



The City of Fort Wayne

OFFICE OF THE CITY CLERK
Charles W. Westerman, Clerk — Room 122

January 4, 1983

Ms. Linda King
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. King:

Please give the attached full coverage on the dates of January 8, 1983 and January 15, 1983, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. Z-82-07-03
Zoning Map Ordinance No. Z-20-82

Bill No. G-82-01-06
General Ordinance No. G-34-82

Please send us 8 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,
Charles W. Westerman
Charles W. Westerman
City Clerk

LEGAL NOTICE

Notice is hereby given that on the 28th day of December, 1982, at the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-82-07-03 -- Zoning Map Ordinance No. Z-20-82 -- AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-11

Notice is hereby given that on the 28th day of December, 1982, at the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-82-01-06 -- General Ordinance No. G-34-82 -- AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

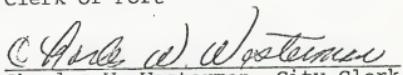
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-07-03 -- Zoning Map Ordinance No. Z-20-82 and Bill No. G-82-01-06 -- General Ordinance No. G-34-82, were passed by the Common Council on the 28th day of December, 1982, and said Ordinances were signed and approved by the Mayor on the 3rd day of January, 1983, and remains on file and on record in my office.

Copies of Bill No. Z-82-07-03 -- Zoning Map Ordinance No. Z-20-82 and Bill No. G-82-01-06 -- General Ordinance No. G-34-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-82-07-03 -- Zoning Map Ordinance No. Z-20-82 and Bill No. G-82-01-06 -- General Ordinance No. G-34-82 will be available for reading in the following places in Fort Wayne, Allen County Indiana;

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana


Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on January 8, 1983


Charles W. Westerman, City Clerk

Common Council

(Governmental Unit)

Allen

County, Ind

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	1
Body	number of lines	66
Tail	number of lines	1
Total number of lines in notice		<u>68</u>

COMPUTATION OF CHARGES

68 lines, 1 columns wide equals	68 equivalent lines at .323 cents per line	\$ 21.96
----	------------------------------------	--------------------------------------------	----------

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	\$ 3.00
-----------------------------------------------------------------------------------	---------

TOTAL AMOUNT OF CLAIM.	<u>\$ 24.96</u>
------------------------	-----------------

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Barbara Anderson

Date Jan. 15 83

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County 55.

Personally appeared before me, a notary public in and for said county and state, the undersigned..... *Barbara Anderson*..... who, being duly sworn, says that she is.....

CLERK

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:

January 8-15, 1983

Subscribed and sworn to before me this 15th day of Jan. 1983

Barbara Anderson
Chene M. Jenkins
Notary Public

November 29, 1985

My commission expires.....

Common Council

(Governmental Unit)

Allen

County, Ind

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Barbara Anderson

Date Jan. 15, 1983

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana SS.

ALLEN County SS.
Personally appeared before me, a notary public in and for said county and state, the undersigned *Barbara Anderson* who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

2 newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times , the dates of publication being as follows:

January 8-15, 1983

15th day of Jan. 1983

Subscribed and sworn to before me this

Barbara Anderson

John M. Jackson Notary Public

November 29, 1985

My commission expires

Notice is hereby given that on the 28th day of December, 1982, at the Common Council of the City of Fort Wayne, Indiana, the Regular Session, Z-82-07-03 - Zoning Ordinance No. Z-82-07-03 - Zoning Map Ordinance No. Z-82-07-03 - General Ordinance No. G-34-82, were passed by the Common Council on the 28th day of December, 1982, and said Ordinances were signed by the Mayor on the 3rd day of January, 1983, and remains on file and on record in my office.

Copies of Bill No. Z-82-07-03 - Zoning Map Ordinance No. Z-82-07-03 - Zoning Map Ordinance No. Z-82-07-03 - General Ordinance No. G-34-82 will be posted for reading in the following places in Fort Wayne, Allen County,

(1) The main floor of the City-County Building, bulletin board in the lobby of

Downtown Fort Wayne Public Library.

(2) The bulletin board in the lobby of

the door of the Allen County Court House.

Copies of Bill No. Z-82-07-03 -

Zoning Map Ordinance No. Z-82-07-

03 - Zoning Map Ordinance No. Z-82-07-03 - General

Ordinance No. G-34-82 will be

available for reading in the following

places in Fort Wayne, Allen County,

Indiana.

(1) Reference Room in the north

and the men floor in said

Downtown Public Library.

(2) The Journal Room in the Office of

the City Clerk of Fort Wayne,

Indiana.

Charles W. Westerman, City Clerk

Charles W. Westerman, Clerk of the

City of Fort Wayne, Indiana, fulfilled

and posted the above ordinances in

the designated places as stated on

January 8, 1983.

Charles W. Westerman, City Clerk

1/8-15